

**STATE BOARD MEETING DATE** September 25, 2006

**SUBJECT:** Consideration of Review Case # C-2004-151R, Paul T. Lewis

**SUBMITTED BY:** Rachell L. Tucker, Chief Investigator, Investigative Unit, State Board of Education,

**MANAGEMENT TEAM REVIEW:** September 7, 2006

**BACKGROUND INFORMATION:**

Mr. Paul T. Lewis applied for a Substitute teaching certificate on September 21, 2004. On his application for certification, Mr. Lewis answered "no" to having ever received a reprimand or other disciplinary action involving any professional certificate or license.

The Investigative Unit was notified by the National Association of State Directors and Teacher Education and Certification (NASDTEC) that the State of California had denied Mr. Lewis' application for a teaching certificate in June, 2001, based on his criminal history. The California Commission on Teacher Credentialing denied Mr. Lewis' application as a result of an October 1985 arrest and subsequent conviction for Indecent Exposure in which he was seen masturbating in his car.

The investigators requested that Mr. Lewis submit a personal statement explaining the circumstances surrounding his arrest history and denial of his California teaching certificate. All requested documents were submitted. A notarized letter from the Superior Court of California, County of Orange, stated that completed records prior to 1994 have been destroyed. Therefore, the circumstances surrounding the 1985 arrest could not be corroborated with Mr. Lewis' written statement.

The Professional Practices Advisory Committee (the "PPAC") interviewed Mr. Lewis on August 23, 2006. By a vote of 5-0, the PPAC found that despite evidence showing that the conduct of Paul Lewis constituted immoral or unprofessional conduct, would have made the applicant unfit to teach and would have had an adverse effect on or within the school community, sufficient evidence exists that mitigates the applicant's conduct. The PPAC considered the following mitigating factors:

- No subsequent arrest or convictions;
- Letters of recommendation;
- Candor before the committee;
- Counseling completed successfully;
- Exemplary teaching career;
- Length of time has lapsed since the incident.

The PPAC also considered the following aggravating factors:

- Inherent seriousness of the underlying offenses.

**BOARD ACTION REQUESTED:** ☐ INFORMATION ☐ ACTION/DESCRIBED BELOW:

That the Board accept the findings of fact, conclusions of law and recommendation of the PPAC and grant Mr. Lewis' application for certification.

**ATTACHMENTS:** YES ☒ NO ☐